



UNITED STATES PATENT AND TRADEMARK OFFICE

fw

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,851	08/30/2001	Tapani Larikka	017.40169X00	7553
7590	07/15/2005		EXAMINER	
Antonelli, Terry, Stout & Kraus, LLP Suite 1800 1300 North Seventeenth Street Arlington, VA 22209			CHOW, MING	
			ART UNIT	PAPER NUMBER
			2645	

DATE MAILED: 07/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/941,851

Applicant(s)

LARIKKA ET AL.

Examiner

Ming Chow

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33,35-38 and 40-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33,35-38 and 40-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 3, 13, 21, 23, 33, 38, 11, 12, 20, 31, 32, 36, 37, 41, 42, 43-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi (US: 6633759), and in view of Jokimies (US: 5353328).

Regarding claims 1, 3, 13, 21, 23, 33, 38, Kobayashi teaches on column 13 line 62 to column 14 line 6, message data is entered in the PC (claimed “first terminal device”) and send the message data to the cellular phone (claimed “intermediate terminal device”). The sending of same message data from the PC to the cellular phone is a synchronization. Kobayashi teaches Fig. 9, short-range wireless communication between the PC and the cellular phone (reads on claimed “remotely located”).

Kobayashi failed to teach “formatting the data to be synchronized into at least one SMS message in the intermediate terminal device”. However, Jokimies teaches on Abstract – an adapter for a mobile phone to convert received data into SMS for transmitting.

Kobayashi teaches on column 14 line 26-32, transmit the received data from the intermediate terminal to a third terminal (claimed “second terminal device”). Kobayashi teaches

Art Unit: 2645

the intermediate terminal is a cellular phone (reads on claimed “through a cellular network connection”).

It would have been obvious to one skilled at the time the invention was made to modify Kobayashi to have the formatting the data to be synchronized into at least one SMS message in the intermediate terminal device as taught by Jokimies such that the modified intermediate terminal of Kobayashi would be able to support the formatting data message into SMS to the system users.

Regarding claims 11, 12, 20, 31, 32, 36, 37, 41, 42, Kobayashi teaches on column 4 line 55-64 the PC (claimed “first terminal device”) and the cellular phone (claimed “intermediate terminal”) are connected via bluetooth interface (claimed “a short range communication link”).

Regarding claims 43-47, Kobayashi teaches on column 14 line 25-31 the data can be transmitted and received among multiple devices (reads on claimed “from the second terminal device to the first terminal device”).

2. Claims 2, 14, 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi, and in view of Jokimies, Sutinen et al (US: 2002/0161769).

Kobayashi in view of Jokimies as stated in claim 1 above failed to teach “formatting the data message comprises formatting the data in a SyncML format”. However, Sutinen et al teach on Fig. 3 and section [0005] – data in SyncML format for synchronization.

It would have been obvious to one skilled at the time the invention was made to modify Kobayashi, Jokimies to have the formatting the data message comprises formatting the data in a SyncML format as taught by Sutinen et al such that the modified system of Kobayashi, Jokimies would be able to support the SyncML format data to the system users.

3. Claims 4, 24, 35, 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi, and in view of Jokimies, Lohtia et al (US: 6560456).

Regarding claim 4, 24, 35, 40, 5, 25, Kobayashi in view of Jokimies as stated in claim 1 above failed to teach "SMS message center". However, Lohtia et al teach on item 16 Fig. 1 and column 12 line 20 a SMS message center.

It would have been obvious to one skilled at the time the invention was made to modify Kobayashi, Jokimies to have the SMS message center as taught by Lohtia et al such that the modified system of Kobayashi, Jokimies would be able to support the SMS message center to the system users.

Regarding claims 5, 25, Kobayashi in view of Jokimies, Lohtia et al as stated in claim 4 above failed to teach "the at least one.....and the internet". However, Lohtia et al teach on item 304 Fig. 3 MSC (claimed "mobile network")., item 302 Fig. 3 WWIS Gateway, item 303 Fig. 3 Internet.

It would have been obvious to one skilled at the time the invention was made to modify Kobayashi, Jokimies, Lohtia et al to have the at least one.....and the internet as taught by Lohtia

Art Unit: 2645

et al such that the modified system of Kobayashi, Jokimies, Lohtia et al would be able to support the mobile network, gateway, and Internet for transmitting SMS messages to the system users.

4. Claims 6, 15, 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi, and in view of Jokimies, Alanara et al (US: 6097961).

Kobayashi in view of Jokimies as stated in claim 1 above failed to teach “the at least.....SMS message”. However, Alanara et al teach on column 15 line 24-25 a controller on the mobile station to compress SMS messages.

It would have been obvious to one skilled at the time the invention was made to modify Kobayashi, Jokimies to have the at least.....SMS message as taught by Alanara et al such that the modified system of Kobayashi, Jokimies would be able to support the compressed SMS message to the system users.

5. Claims 7, 16, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi, and in view of Jokimies, Alanara et al, Corneliussen et al (US: 2004/0048603).

Kobayashi in view of Jokimies, Alanara et al as stated in claim 6 above failed to teach “the compressed SMS.....encoded message”. However, Corneliussen et al teach on section [0041} SMS server builds WBXML messages.

It would have been obvious to one skilled at the time the invention was made to modify Kobayashi, Jokimies, Alanara et al to have the “the compressed SMS.....encoded message” as taught by Corneliussen et al such that the modified system of Kobayashi, Jokimies, Alanara et al would be able to support the WBXML encoded message to the system users.

Art Unit: 2645

6. Claims 8, 17, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi, and in view of Jokimies, Sutinen et al, Schmidt et al (US: 2003/0078890).

Kobayashi in view of Jokimies, Sutinen et al as stated in claim 2 above failed to teach “the data formatted.....formats”. However, Schmidt et al teach on section [0298] SyncML MIME data format.

It would have been obvious to one skilled at the time the invention was made to modify Kobayashi, Jokimies, Sutinen et al to have the “the data formatted.....formats” as taught by Schmidt et al such that the modified system of Kobayashi, Jokimies, Sutinen et al would be able to support the SyncML MIME data format to the system users.

7. Claims 9, 18, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi, and in view of Jokimies, Sutinen et al, Schmidt et al, Winarski (US: 2002/0123307).

Kobayashi in view of Jokimies, Sutinen et al, Schmidt et al as stated in claim 8 above failed to teach “the two.....vcard formats”. However, Winarski teaches on section [0035] vcal and vcard formats of information.

It would have been obvious to one skilled at the time the invention was made to modify Kobayashi, Jokimies, Sutinen et al, Schmidt et al to have the “the two.....vcard formats” as taught by Winarski such that the modified system of Kobayashi, Jokimies, Sutinen et al, Schmidt et al would be able to support the vcal and vcard data formats to the system users.

Art Unit: 2645

8. Claims 10, 19, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi, and in view of Jokimies.

Kobayashi in view of Jokimies as stated in claim 1 above failed to teach “the data message.....contact information”. However, “Official Notice” is taken that content of data message is a decide choice.

It would have been obvious to one skilled at the time the invention was made to modify Kobayashi, Jokimies to have the “the data message.....contact information” such that the modified system of Kobayashi, Jokimies would be able to support the calendar, to-do list, personal information, or contact information to the system users.

Response to Arguments

9. Applicant's arguments filed on 5/16/05 have been fully considered but they are not persuasive.

- i) Applicant argues, on page 15, regarding new amendments. New grounds of rejections necessitated by the amendments have been stated above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this application and office action should be directed to the examiner Ming Chow whose telephone number is (571) 272-7535. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or

Application/Control Number: 09/941,851

Page 9

Art Unit: 2645

proceeding should be directed to the Customer Service whose telephone number is (571) 272-

2600. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

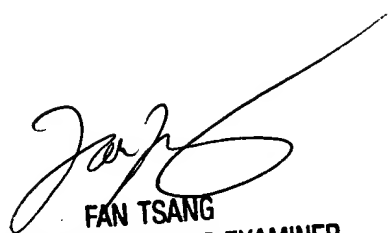
Washington, D.C. 20231

Or faxed to Central FAX Number 571-273-8300.

Patent Examiner

Art Unit 2645

Ming Chow



FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600